

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Victor Ivan Chornenky, *et al.*

Appl. No. 10/010911

Filed: November 20, 2001

For: **Device for Delivering Localized X-Ray
Radiation and Method of Manufacture**

Art Unit: 3739

Examiner: D. Shay

Atty. Docket: P775 CON 3

FAX RECEIVED
MAR 18 2003
GROUP 3739

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

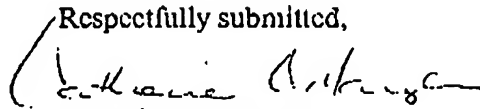
Sir:

Prior to examining the Application on the merits, please amend the Application as set forth in the attached preliminary amendment submitted in Application Serial Number 09/123,669. The current Application is a continuation of Application Serial Number 09/123,669. This preliminary

amendment is to be reviewed in conjunction with the preliminary amendment submitted on November 20, 2001.

Dated this 18 day of March 2003.

Respectfully submitted,



Catherine C. Maresh
Attorney for Applicant
Registration No. 35,268

Medtronic AVE, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
Tel. No.: (707) 543-0221
Fax. No.: (707) 543-5420

Certificate of Fax Transmission

I hereby certify that this paper (along with any referred to as being attached or enclosed) is submitted via a facsimile to the Technology Center 3700 at 703-872-9302

Date: March 18, 2003


Catherine C. Maresh

S/N NEW FILING

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|-----------------|-------------|
| Applicant: | CHORNENKY ET AL. | Examiner: | UNKNOWN |
| Serial No.: | NEW FILING (In Parent: 08/806,244) | Group Art Unit: | 3734 |
| Filed: | HEREWITH (In Parent: February 21, 1997) | Docket No.: | 11694.7USC1 |
| Title: | DEVICE FOR DELIVERING LOCALIZED X-RAY RADIATION AND METHOD OF MANUFACTURE (As Amended Herein) | | |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL03932153GUS
Date of Deposit: July 28, 1998

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By: M. L. Green
Name: M. L. Green

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to taking the above-referenced Continued Application up for examination, please make the following amendments:

In the Title

Please delete the existing title and insert the following title therefor: —DEVICE FOR DELIVERING LOCALIZED X-RAY RADIATION AND METHOD OF MANUFACTURE—.

In the Specification

Please amend the specification as follows:

Page 1:

Please delete lines 6-9 in their entirety.